

Remarks:

1. Claims 2, 3, 8 and 9 have been cancelled. Claims 1, 4, 5, 7, 10, 11, 13, 30, 33, 35 and 37 have been amended.

2. Claims 32, 34, and 36 are rejected under 35 U.S.C. § 102(b) as being anticipated by each of U.S. Pats. No. 2,102,052 (Yearly), 4,463,018 (Carr), and 5,007,194 (Coody). Each of the references teaches *an inedible fish baiting lure or device* – a significantly different type of technology and method of "catching" fish. The present claims recite an edible crustacean bait suitable for use in crustacean traps and pots, crustacean defined in the application as the biological class that includes lobster and crabs. Clearly, Claims 32, 34 and 36 are not anticipated, not obvious, in view of the present invention. Certainly, there is no combination of these references that discloses, teaches or suggests each and every element of the present invention. Applicants assert that Claims 32, 34 and 36 are allowable thereover.

3. Claims 1-29 and 31-37 are rejected under 35 U.S.C. § 103(a) as being unpatentable in view of U.S. Pat. No. 3,964,203 to William Williams ("Williams") and U.S. Pat. No. 4,463,018 to William Carr ("Carr"), in view of U.S. Pat. No. 4,484,924 to Ernst Pfleiderer ("Pfleiderer"), U.S. Pat. No. 6,827,041 to Frank Hague et al. ("Hague"), U.S. Pat. No. 3,408,918 to Robert Talty et al. ("Talty"), and U.S. Pat. No. 4,224,028 to Geraldine Thiele ("Thiele"). In light of the amendments presented herein, Applicants' assert that the references do not teach all the limitations of independent Claims 1, 33, 35, and 37, and therefore Claims 1, 33, 35 and 37, and all claims depending therefrom, are patentable over any combination of Williams, Carr, Pfleiderer, Hague, Talty and/or Thiele. The Examiner is respectfully requested to allow these claims of the present application.

4. Claim 30 is rejected under 35 U.S.C. § 103(a) as being unpatentable in view of U.S. Pat. No. 4,484,924 to Ernst Pfleiderer ("Pfleiderer") in view of U.S. Pat. No. 3,670,534 to Bruce Gould ("Gould") and U.S. Pat. No. 3,913,360 to Eric Holdsworth ("Holdsworth"). The rejection provides no motivation for combining Gould and Holdsworth with Pfleiderer, simply stating that the prior art devices taught by Holdsworth and Gould "would have been within the ambit of ordinary skill.

As noted above, the independent claims of this application, including Claim 1 from which Claim 30 depends, are allowable because the references do not teach crustacean bait or methods for producing crustacean bait. Claim 30 is allowable because Claim 1 is allowable.

The application is considered in form for allowance, and the Examiner is respectfully requested to pass this application to issue. If, in the opinion of the Examiner, a telephone conference would expedite the prosecution of the subject application, the Examiner is invited to call the undersigned attorney.

Respectfully submitted:

BY /Antonia M. Holland/
Antonia M. Holland
Attorney for Applicants
Registration No. 53,840

Reinhart Boerner Van Deuren s.c.
1000 North Water Street, Suite 2100
Milwaukee, WI 53202

(414) 298-8285

Customer No. 22922